

# **Summary of Senate NDAA Amendment #1078 – Native American Housing Assistance and Self-Determination Reauthorization Act of 2023**

## **Offered by Senator Schatz and Senator Murkowski**

Amendment would reauthorize NAHASDA for 7 years with reforms to foster greater local control over NAHASDA programming, streamline environmental reviews for tribal housing projects, and incentivize private partnerships. The Senate Committee on Indian Affairs (SCIA) reported S. 2285 (Schatz/Murkowski) on July 20, 2023, by voice vote. On July 27, 2023, the Schatz/Murkowski NAHASDA amendment was adopted by a vote of 86-11 to the Senate NDAA.

### **Regulatory Reform**

- Consolidates the number of environmental reviews for tribal housing projects.
- Allows tribes to use block grant dollars to assist tribal members with education related housing expenses.
- Raises the “de minimis” exemption for spending on procurement contracts without enforcing applicable procurement policies in order to be in line with other federal programs.
- Removes the prohibition on the Indian Health Service using available grant dollars to fund the construction of wastewater facilities for tribal housing projects located on or near Indian Health Service facilities.
- Increases the 50-year limitation on leasing tribal lands to 99 years in order to ensure long-term certainty and incentivize financing for the construction of housing.
- Streamlines the process for mortgages to receive approval of federal guarantees under the Section 184 Indian Home Loan Guarantee Program and Section 184A Native Hawaiian Housing Loan Guarantee Program.
- Allows tribal housing authorities to use IHBG formula dollars to leverage other federal housing programs.

### **Increase Oversight**

- Authorizes the Secretary to expedite the procedure to cancel mortgages issued under the 184 and 184A programs if it is determined that the mortgage was obtained through illegal or fraudulent activity.
- Allows the Department to expedite the suspension of NAHASDA funds if it is determined that the tribe violated program rules. It also provides a notice and hearing procedure for the tribe to appeal the determination.

### **Expand Access to Housing Resources**

- Allows funds to be used towards the prevention of drug related violent crimes at NAHASDA housing projects and the use of culturally appropriate community development activities to address housing and drug abuse.
- Includes Native CDFIs as eligible financial institutions under the 184 and 184A programs to increase home ownership.

- Expands the service area of the 184 and 184A programs.
- Incentivizes tribes to move members from renting to homeownership by reforming current HUD rental program requirements and providing more authority for tribal housing authorities to enter into contracts for “rent to own” of tribally constructed housing projects.
- Authorizes the Tribal HUD-VASH program. This program was developed to assist at-risk veterans by providing housing vouchers that are coupled with healthcare services.